

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

PATRICIA KAMMEYER, <u>et al.</u>	:	
	:	NO. 1:01-CV-00649
Plaintiffs,	:	
	:	ORDER
	:	
v.	:	
	:	
	:	
CITY OF SHARONVILLE, OHIO, <u>et</u>	:	
<u>al.</u> ,	:	
	:	
Defendants.	:	

Before the Court is the Motion to Quash Subpoena Directed to Sheriff Simon L. Leis, Jr. (former prosecutor) filed by Non-Party and Movant, Sheriff Simon L. Leis, Jr. (hereinafter "Leis") (doc. 241). The Court notes that Leis's Motion is practically identical to the Motion to Quash Subpoena Directed to Non-Parties Michael K. Allen, Hamilton County Prosecutor, John Jay, Investigator, and Terry Gaines, Former Assistant Prosecutor (doc. 174). The Court denied doc. 174 with its Order dated December 21, 2004 (doc. 195). This Order (doc. 195) was appealed by the non-parties and currently is before the Sixth Circuit (doc. 198). As noted, the current Motion is substantially identical to this earlier Motion. The Court is likely to rule on the current Motion to Quash (doc. 241) using the same analysis as used in its earlier Order (doc. 195). However, as this exact issue (albeit with different Non-Party Movants) is

currently pending before the Sixth Circuit, the Court will POSTPONE ruling on this matter and wait for the Sixth Circuit's forthcoming opinion regarding the Court's earlier Order.

SO ORDERED.

Dated: April 20, 2005

s/S. Arthur Spiegel

S. Arthur Spiegel
United States Senior District Judge